

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
SEP 27 2004

SEP 27 2004

U.S. DISTRICT COURT  
DISTRICT OF MASS.

MARIAN LUDKIEWICZ,

Plaintiff

v.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA

Defendant

Civil Action No. 04-30039-MAP

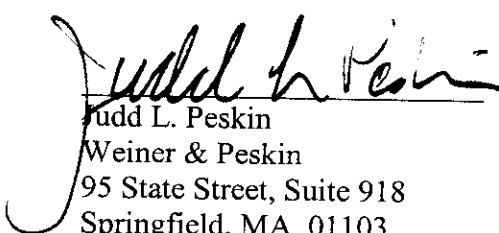
**STIPULATION OF DISMISSAL**

NOW COME the Plaintiff, Marian Ludkiewicz, and the Defendant, Unum Life Insurance Company of America, in the above-entitled matter and hereby stipulate and agree, pursuant to Fed. R. Civ. P. 41, that the above-entitled action, including all counts of the Complaint, and all claims and counterclaims which actually were asserted or which could have been asserted, shall be dismissed with prejudice, without costs to any party, and waiving all rights of appeal.

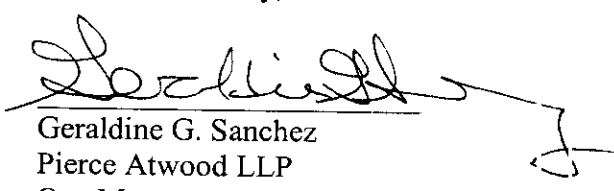
DATED: September 24, 2004

Respectfully submitted,

MARIAN LUDKIEWICZ,  
By His Attorney,

  
Judd L. Peskin  
Weiner & Peskin  
95 State Street, Suite 918  
Springfield, MA 01103

UNUM LIFE INSURANCE  
COMPANY OF AMERICA  
By Their Attorney,

  
Geraldine G. Sanchez  
Pierce Atwood LLP  
One Monument Square  
Portland, ME 04101